

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Senate Bill 178 be amended to read as follows:

- 1 Page 1, line 17, strike "(g)." and insert "**(h).**".
- 2 Page 2, line 25, strike "(g);" and insert "**(h);**".
- 3 Page 2, between lines 28 and 29, begin a new paragraph and insert:
- 4 "**(f) A paternity affidavit executed under this section must**
- 5 **contain all of the following:**
- 6 **(1) A statement:**
- 7 **(A) that, if the mother and person described in subsection**
- 8 **(e)(2) check the box located next to this statement and sign**
- 9 **on the signature lines described in subdivision (2), the**
- 10 **mother and the person described in subsection (e)(2) agree**
- 11 **to share joint legal custody of the child; and**
- 12 **(B) that joint legal custody means that the persons sharing**
- 13 **joint legal custody:**
- 14 **(i) share authority and responsibility for the major**
- 15 **decisions concerning the child's upbringing, including**
- 16 **the child's education, health care, and religious training;**
- 17 **and**
- 18 **(ii) have equal access to the child's school and medical**
- 19 **records.**
- 20 **(2) Two (2) signature lines located below the statements**
- 21 **described in subdivision (1).**
- 22 **(3) A statement that, if the mother and person described in**
- 23 **subsection (e)(2) do not agree to share joint legal custody, the**
- 24 **mother has sole legal custody unless another determination is**
- 25 **made by a court in a proceeding under IC 31-14.**
- 26 **(4) A statement that even if the mother and the person**
- 27 **described in subsection (e)(2) share joint legal custody, the**
- 28 **mother has primary physical custody of the child unless**
- 29 **another determination is made by a court in a proceeding**
- 30 **under IC 31-14."**
- 31 Page 2, line 29, strike "(f)" and insert "**(g)**".

- 1 Page 2, line 32, strike "(g)" and insert "(h)".
  - 2 Page 3, line 4, after "under" insert **"IC 31-14 or the child's mother**
  - 3 **and person described in subsection (e)(2) agree to share joint legal**
  - 4 **custody of the child as described in subsection (f),"**.
  - 5 Page 3, delete line 5.
  - 6 Page 3, line 6, delete "(e)(2) share joint legal custody of the child,".
  - 7 Page 3, line 7, reset in roman "sole legal".
  - 8 Page 3, after "legal" insert **"and"**.
  - 9 Page 3, line 10, strike "(h)" and insert **"(i)"**.
  - 10 Page 3, line 15, strike "(i)" and insert **"(j)"**.
  - 11 Page 3, line 20, strike "(h)," and insert **"(i),"**.
  - 12 Page 3, line 23, strike "(j)" and insert **"(k)"**.
  - 13 Page 3, line 24, strike "(g)(2)(A)" and insert **"(h)(2)(A)"**.
  - 14 Page 3, line 26, strike "(k)" and insert **"(l)"**.
  - 15 Page 3, line 27, strike "(h) or (i)" and insert **"(i) or (j)"**.
  - 16 Page 3, line 29, strike "(l)" and insert **"(m)"**.
  - 17 Page 3, line 33, strike "(m)" and insert **"(n)"**.
  - 18 Page 3, between lines 36 and 37, begin a new paragraph and insert:
  - 19 **"(o) If both the mother and the person described in subsection**
  - 20 **(e)(2) check the box and sign as described in subsection (f)(1)(A),**
  - 21 **the mother and the person described in subsection (e)(2):**
  - 22 **(1) share joint legal custody of the child; and**
  - 23 **(2) have equal access to the child's school and medical**
  - 24 **records.**
  - 25 **An action to establish custody or parenting time of a party who has**
  - 26 **agreed to share joint legal custody under subsection (f) shall be**
  - 27 **tried de novo."**
  - 28 Page 4, delete lines 9 through 42.
  - 29 Delete page 5.
- (Reference is to SB 178 as printed January 15, 2010.)

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Senator YOUNG R MICHAEL